

10/11/01

JC887 U.S. PTO

10-12-0

A

Please type a plus sign (+) inside this box → ☒PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

F-209

First Inventor

Ralph

An Intervertebral Spacer Device Utilizing a Spirally Slotted
Title Belleville Washer Having Radially Spaced Concentric Grooves

Express Mail Label No.

ET 79585156 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification (Total Pages)
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets
5. Oath or Declaration [Total Pages

a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))

b. ☐ (for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: 09 789,936

Prior application information:

Examiner

unknown

Group Art Unit:

3732

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒

Correspondence address below

Name

Joseph P. Errico

150 Douglas Road

Address

City

Far Hills

State

NJ

Zip Code

07931

Country

USA

Telephone

917-373-5918

Fax

908-234-1229

Name (Print/Type)

Joseph P. Errico

Registration No. (Attorney/Agent)

38,131

Signature



Date

10/11/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT(\$)**410.00****Complete if Known**

Application Number

Filing Date

10/11/01

First Named Inventor

Ralph

Examiner Name

Group Art Unit

Attorney Docket No.

F-209

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

06-0245

Deposit
Account
Name

Fastenetix, LLC

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

370.00

SUBTOTAL (1) (\$)**370.00****2. EXTRA CLAIM FEES**Total Claims **20** Extra Claims **20** Fee from below **0** Fee Paid **0**
Independent Claims **2** - 3** = **0** Fee Paid **0**
Multiple Dependent **0** Fee Paid **0**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims over original patent

110 18 210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**Large
EntitySmall
Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$)

105 130 205 65

127 50 227 25

139 130 139 130

147 2,520 147 2,520

112 920* 112 920*

113 1,840* 113 1,840*

115 110 215 55

116 390 216 195

117 890 217 445

118 1,390 218 695

128 1,890 228 945

119 310 219 155

120 310 220 155

121 270 221 135

138 1,510 138 1,510

140 110 240 55

141 1,240 241 620

142 1,240 242 620

143 440 243 220

144 600 244 300

122 130 122 130

123 50 123 50

126 180 126 180

581 40 581 40

146 710 246 355

149 710 249 355

179 710 279 355

169 900 169 900

Other fee (specify)

Fee Description

Fee Paid

Surcharge - late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Non-English specification

For filing a request for *ex parte* reexamination

Requesting publication of SIR prior to Examiner action

Requesting publication of SIR after Examiner action

Extension for reply within first month

Extension for reply within second month

Extension for reply within third month

Extension for reply within fourth month

Extension for reply within fifth month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to institute a public use proceeding

Petition to revive - unavoidable

Petition to revive - unintentional

Utility issue fee (or reissue)

Design issue fee

Plant issue fee

Petitions to the Commissioner

Processing fee under 37 CFR 1.17(q)

Submission of Information Disclosure Stmt

Recording each patent assignment per property (times number of properties)

Filing a submission after final rejection (37 CFR § 1.129(a))

For each additional invention to be examined (37 CFR § 1.129(b))

Request for Continued Examination (RCE)

Request for expedited examination of a design application

40.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40.00****SUBMITTED BY**

Name (Print/Type)

Joseph P. Errico

Registration No.
(Attorney/Agent)

38,131

Complete (if applicable)

Telephone

917-373-5918

Signature

Date

10/11/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CERTIFICATE OF MAILING (UNDER 37 CFR 1.08 AND 1.10)

Docket No.
F-209

TO THE ASSISTANT COMMISSIONER FOR PATENTS

I hereby certify that this correspondence is being deposited on 10/11/01 with the United States Postal Service's "Express Mail Post Office to Addressee" service and is addressed to Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Express Mail Label:

ET079585156US

documents included:

- ☒ Patent Application Transmittal (1 page)
- ☒ Fee Transmittal Form (1 page)
- ☒ Specification and claims (total 18 pages)
- ☒ Informal sheet(s) of drawings (total 5 sheets)
- ☒ Oath(s) or Declaration(s) (2 pages)
- ☒ Power(s) of Attorney (1 pages)
- ☒ Assignment(s) (2 pages)
- ☒ Recordation Form Cover Sheet(s) (1 pages)
- ☒ Statement Under 37 CFR 3.73(b) (1 page)
- ☒ Return Receipt Postcard

signed: _____

Joseph P. Errico, Esq.
Reg. No. 38,131

dated: _____

10 / 11 / 01